

DATE

Mr. Gary Joynor
Vice President and Treasurer
Jackson Parish Watershed District
P.O. Box 398
Jonesboro, LA 71251

Re: Docket No. 2022-079
Advisory Opinion

Dear Mr Joynor:

The Louisiana Board of Ethics, at its April 8, 2022 meeting, considered your request, on behalf of Jackson Parish Watershed District (the "District"), for an advisory opinion as to whether the former president of the District may assist a contractor performing certain services.

FACTS PROVIDED

Mr. Lavelle Smith was a member and president of the District until his service ended on April 18, 2021.

Mr. Smith would like to assist Quin Ortego, a contractor, in obtaining legal descriptions and completing building permits for him. Mr. Smith's services to Mr. Ortego include matters involving the District.

Mr. Smith maintains that he is not being compensated for his services to Mr. Ortego, and he is providing his services voluntarily.

LAW

La. R.S. 42:1102(3) defines "agency head" to mean the chief executive or administrative officer of an agency or any member of a board or commission who exercises supervision over the agency.

La. R.S. 42:1121A(1) provides no former agency head or elected official shall, for a period of two years following the termination of his public service as the head of such agency or as an elected public official serving in such agency, assist another person, for compensation, in a transaction, or in an appearance in connection with a transaction, involving that former agency or render any service on a contractual basis to or for such agency.

ANALYSIS

Mr. Smith served as a board member of the District, which role qualifies him as a former agency head under La. R.S. 42:1102(3). As Mr. Smith was an agency head, La. R.S. 42:1121A(1) shall apply. Accordingly, for a period of two years after his termination of service to the District, Mr. Smith may not assist another person, for compensation, in a transaction involving the District.

CONCLUSION

The Board concluded, and instructed me to inform you, that the Code of Governmental Ethics would permit Mr. Smith to provide services to Mr. Ortego involving the District, provided that Mr. Smith is not compensated for such services.

This advisory opinion is based solely on the facts as set forth herein. Changes to the facts as presented may result in a different application of the provisions of the Louisiana Code of Governmental Ethics. The Board issues no opinion as to past conduct or as to laws other than the Louisiana Code of Governmental Ethics, the Campaign Finance Disclosure Act, the Lobbyist Disclosure Acts, and the conflict of interest provisions contained in the Louisiana Gaming Control Law. If you have any questions, please contact me at (800) 842-6630 or (225) 219-5600.

Sincerely,

LOUISIANA BOARD OF ETHICS

Charles E. Reeves, Jr.
For the Board

DISCLAIMER
This is a draft opinion and it is **NOT** an opinion of the Louisiana Board of Ethics. The analysis and conclusions herein are provided for discussion purposes only, and are subject to change or revision at the meeting of the Board of Ethics at which the matter is considered.